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no proper place in international law, since it strikes across the independence and equality of sovereign states. *Notrecht* might be justified where public common interest conflicts with private individual interest, with law courts to decide; but there is no court as yet allowed to be arbiter for nations. Rather, as in the past, necessity is "the tyrant's plea". Many pages are given to examination of this theory, for of such was the chancellor's plea, made immediately after the violation, and, though afterwards seemingly withdrawn, still the most important explanation of Germany's action.

The remainder of the book examines later justifications attempted by the imperial government, by German juridical writers, and some Americans, apologists and propagandists—that the treaty of neutralization was not binding, that the German Empire had not succeeded to the obligations undertaken by Prussia in 1839, that the treaty was obsolete in accordance with the doctrine *rebus sic stantibus*, that Belgium had herself violated her permanent neutrality. These excuses, proffered when the original exculpation failed to satisfy the opinion of the world, have been disposed of by other writers, but no one has dealt with them all so thoroughly, or so cogently shown the contradictions which they involve, how lamely they have been stated, and how some of them can be made only with data unsatisfactory and incomplete, with careless ignorance or deliberate suppression of many of the facts.

The international significance of the violation of Belgian neutrality, dealt with in a final chapter, is touched by J. Van den Heuvel in an introduction. This writer notes that after Germany had trodden down Belgium in vain effort to avoid the fortified places and strike at the heart of France, eighteen months later she found herself, nevertheless, struggling against an enemy prepared at last by the impregnable ramparts of Verdun.

EDWARD RAYMOND TURNER.

BOOKS OF AMERICAN HISTORY

The Memorial of Fray Alonso de Benavides, 1630. Translated by MRS. EDWARD E. AYER. Annotated by FREDERICK WEBB HODGE and CHARLES FLETCHER LUMMIS. (Chicago: Privately Printed. 1916. Pp. xiii, 309.)

NEW MEXICO in 1630 was separated from the northern frontier of continuous settlement in New Spain by two hundred leagues of territory uninhabited by Europeans. Somewhere beyond, in the minds of the Spaniards, stretched the long-sought Strait of Anian. To the east lay the kingdoms of Quivira and Aixaos, between which and the English and Dutch settlements on the Atlantic coast a thriving trade was reputed to exist. On all sides, from one to three hundred leagues, extended the country of the Apaches—common enemies of all settled peoples. The colonists themselves were little affected by conditions in the mother-

country, or even in New Spain, five to six years often elapsing between communications from either. Within this New Mexican oasis of Spanish domination an insufficient number of missionaries looked after the spiritual needs of thousands of neophytes; the *encomenderos* collected from each household one *manta* of cotton cloth and one *fanega* of corn annually.

Aside from local conditions, dealt with in pleasing and historically important detail, such, in summary, was the general situation of New Mexico as described by Fray Alonso de Benavides, provincial custodian of the Franciscan missions, later bishop of Goa, in India, in his *Memorial* addressed to the King of Spain in 1630. This semi-romantic, partially exaggerated account, written primarily to induce the king to send more missionaries to New Mexico, must, because of other recommendations therein, be ranked as a state paper of prime importance. The danger from the English and the Dutch and the need for a direct route between Havana and New Mexico were alike real to Benavides; hence the recommendations that Quivira and Aixaos be settled and that a bay on the Gulf coast, known as Espíritu Santo, be occupied. While present-day knowledge of the geographical situation discredits Benavides's fear of the English and Dutch, his knowledge of their general activities "on the side of Florida" cannot be questioned. Time, moreover, justified his fear of foreign aggressors from that direction, and a half-century later, when news came that the French instead of the English and Dutch were threatening New Mexico and the whole northeastern frontier of New Spain, the unheeded recommendation that Espíritu Santo Bay be occupied became a live subject for statesmen at Madrid and Mexico City, and directly influenced the later international relations of France and Spain. Nor had statesmen forgotten Fray Benavides's *Memorial* a century and a half later, recent historical investigation having shown that it was used to promote the occupation of Alta California in 1776 (Chapman, *Founding of Spanish California*, p. 335).

The *Memorial* of Fray Benavides was published at Madrid in the latter part of 1630, and was evidently reprinted shortly afterward. Within four years translations appeared in French, Dutch, Latin, and German. The first complete English translation, also by Mrs. Ayer, was published at Los Angeles in 1900-1901 in serial numbers of *The Land of Sunshine*, a magazine largely local in its interests and circulation. Next to the original the present edition is the most valuable that has appeared in any language. Besides the English translation there is a photographic reproduction of the title-page and of the complete text, page for page, of the original 1630 edition, a rare copy of which is in the famous and rapidly growing Edward E. Ayer Collection at Chicago. The title-pages of the French, Dutch, Latin, and German editions are also reproduced. In the translation Mrs. Ayer has given what is generally regarded as a literal, or, according to Mr. Lummis in the introduction, an "accurate" rendering of the Spanish into English, the object

having been to reproduce as nearly as possible the atmosphere of the original.

An important feature of the book consists of nearly one hundred small-typed pages of annotations, of which Mr. Hodge is the chief contributor. The subjects annotated range from St. Francis of Assisi to government meteorological records of New Mexico and to Pojoaque, one of the least important of the New Mexican pueblos. In these annotations are included the latest and most scholarly conclusions of different investigators, with supplementary bibliographical data thereon. As a result the annotations themselves constitute a storehouse of information, historical, ethnological, and bibliographical. The book is fully illustrated, many of the photographs having been taken by Mr. Lummis. These are in keeping with the general technique of the entire book, which from every standpoint is well-nigh perfect and artistic in every detail.

CHARLES W. HACKETT.

Documentary History of Yale University under the Original Charter of the Collegiate School of Connecticut, 1701-1745. Edited by FRANKLIN BOWDITCH DEXTER, Litt.D. (New Haven: Yale University Press. 1916. Pp. xviii, 382.)

The Beginnings of Yale, 1701-1726. By EDWIN OVIATT. (*Ibid.* 1916. Pp. xxxi, 456.)

The Book of the Yale Pageant, 21 October 1916, in Commemoration of the Two Hundredth Anniversary of the Removal of Yale College to New Haven. Edited by GEORGE HENRY NETTLETON. (*Ibid.* 1916. Pp. x, 243.)

YALE UNIVERSITY is fortunate in the enjoyment of the competent and tireless services of Professor Dexter in the collection, investigation, and publication of the records of its history and of the lives of its graduates. His *Yale Biographies and Annals* has long been recognized as monumental. The present volume is of no less importance, for in it "are included the more important documents, known to be in existence, relating to the history of Yale University, of a date earlier than that of the present charter, of May, 1745". Its value is not limited to the history of Yale University or of collegiate education in America, for the student of the colonial history of Connecticut or of American church history will also find much material of which he will need to take account. The 372 pages of text contain 218 documents, which include the minutes of trustee meetings, the record of all legislative acts, and numerous letters immediately relevant to the corporate history of the institution. Documents 1-19 refer to the founding of "the Collegiate School", 1701-1702; 40-99 relate to the crucial years 1716-1718 in which the transfer from Saybrook to New Haven was effected and the famous benefaction received which caused the adoption of the name Yale College; 127-151 deal with the defection of Rector Cutler to "episcopacy" and the long